IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.610 OF 2007

Virendra Ram Nath Singh .. Petitioner.
Vs.
State of Maharashtra & Ors. .. Respondents.

Mr.A.K.Prajapati for the petitioner.
Mr.S.G.Surana for respondent nos.2 and 3.
Ms.P.H.Kantharia APP for respondent no.1.

CORAM : SMT.RANJANA DESAI &
D.B.BHOSALE, JJ.
DATED : 5TH JUNE, 2007.

P.C.:

. Heard learned counsel for the petitioner and respondent nos.2 and 3 and learned A.P.P. for the respondent-State.

2. The grievance of the petitioner is that respondent nos.6 and 7 are not registering his complaint dated 1.3.2007 against respondent nos.2, 3 4 and 5. Mr.Surana, learned counsel appearing for respondent nos.2 and 3 states that MHADA, who is the owner of the land has issued Annexure II Certificate on 5.2.2005 and certified the name of the eligible slum dwellers. At Serial No.19 Mr.Ramnath Singh has been held eligible for commercial premises and his area has been certified as 88.63 sq. mtrs. Mr.Surana submitted that respondent nos.2 and 3 will allot Rehab/Commercial building in Rehab building to

Mr.Ramnath Singh as per approved building plan by SRA and in accordance with law. To this effect an affidavit has been filed by Jaspal Singh Suri - respondent no.3 herein. In our presence in the court Annexure-II has been handed over by Mr.Surana to Mr.Prajapati, learned counsel for the petitioner. We are informed that Mr.Ram Nath Singh has died. Mr.Surana states that in view of this respondent no.3 shall allot Rehab/Commercial building in commercial building to the heirs of Shri Ramnath Singh. The learned counsel for the petitioner says that the petitioner has purchased said gala from his father Shri Ramnath Singh by a registered sale deed. In this criminal writ petition it is not possible for us to decide the disputed question of fact pertaining to the civil rights of the parties. The petitioner will be at liberty to agitate the said civil rights in the civil court in the event of any dispute. In view of the statement made by Mr.Surana and in view of an affidavit of Mr.Jaspal Singh Suri, Mr.Prajapati, learned counsel for the petitioner seeks permission to withdraw the petition. The writ petition is disposed of as withdrawn.

(SMT.RANJANA DESAI, J.)

(D.B.BHOSALE, J.)